

Exhibit F

COPY

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

ATLANTIS INFORMATION TECHNOLOGY, GmbH

Plaintiff,

Case No.
06-CV-3921
(ADS) (WDW)

CA, INC.,

Defendant.

January 24, 2008
10:05 a.m.

DEPOSITION of ALEXANDER GAUGLER, taken by
Defendant pursuant to Notice, held at the
offices of Foley & Lardner LLP, 90 Park
Avenue, New York, NY 10016-1314, before
Donna A. Metz, a Registered Professional
Reporter and Notary Public in and for the
State of New York.

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2 A P P E A R A N C E S:

3

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7 New York, New York 10036-6799

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9 By: J. CHRISTOPHER JENSEN, ESQ.,
10 of Counsel

11

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13 Attorneys for Defendant
14 321 North Clark Street
15 Suite 2800
16 Chicago, Illinois 60610-4764

17

18 By: JOHN F. ZABRISKIE, ESQ.,
19 of Counsel

20

21 A L S O P R E S E N T:

22 ADAM BERNSTEIN, ESQ.
23 Senior Counsel
24 CA, Inc.
25 One CA Plaza
Islandia, New York 11749

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19 DR. MEINHARD ERBEN
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21 D-69120 Heidelberg, Germany

22

23 SIGRID JUNKERMANN
24 English-German Interpreter
25 Scientific Interpreting
(212) 397-0298

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3 S T I P U L A T I O N S:

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6 IT IS HEREBY STIPULATED AND
7 AGREED by and between the attorneys for
8 the parties hereto that sealing and
9 filing of the within deposition be and
10 the same are hereby waived; and that the
11 transcript may be signed before any
12 Notary Public with the same force and
13 effect as if signed before the Court.

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16 IT IS FURTHER STIPULATED AND
17 AGREED that all objections, except as to
18 the form of the question, shall be
19 reserved to the time of trial.

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3 S I G R I D J U N K E R M A N N ,

4 the English-German Interpreter, having

5 been duly sworn by the Notary Public

6 (Donna A. Metz), interpreted portions

7 of the proceedings as indicated herein:

8 A L E X A N D E R G A U G L E R ,

9 having been first duly sworn by the

10 Notary Public (Donna A. Metz), was

11 examined and testified in English and

12 in German through the English-German

13 Interpreter as follows:

14 EXAMINATION

15 BY MR. ZABRISKIE:

16 Q. Mr. Gaugler, my name is John

17 Zabriskie and I represent CA, Inc. in this

18 matter.

19 I will be asking you questions
20 today. If at any time you don't understand
21 any of my questions, please tell me that and I
22 will try to clarify them for you.

23 In addition, as you know, we have
24 an Interpreter here, and I am just going to
25 state for the record the arrangements

Alexander Gaugler

2 Q. I was asking, what were the big
3 improvements planned for release 3.0?

4 A. Well, one was to get a final
5 structure that becomes independent from the
6 database.

7 Another one was to remove some
8 limits in our table definitions.

9 And another one was package shipment
10 using utility only.

11 MR. BERNSTEIN: Loading?

12 THE INTERPRETER: Only.

13 Q. What is the current status of
14 release 3.0?

15 A. We have stopped it.

16 Q. When did you stop it?

17 A. Again, between 2002 and '03, I
18 think.

19 Q. Why did you stop it?

20 A. Well, because of the problems with
21 CA.

22 Q. What do you mean the problems at
23 CA? Do you mean the disputes with CA over
24 payment of royalties?

25 A. Yes.

1 Alexander Gaugler
2 you had stopped development sometime in 2002
3 and 2003 on release 3.0; correct?

4 MR. JENSEN: Objection, but you may
5 answer.

6 A. Yes, correct.

7 Q. Well, then, why did you tell
8 Mr. McGarry in this e-mail that, you say, "I
9 know, it looks like we aren't doing further
10 development, but that's not the reality"?

11 Why did you tell him that if in fact
12 you had stopped work on release 3.0?

13 A. You asked me for the date when we
14 have stopped and I told you it was 2002, about
15 2002, 2003.

16 I do not remember telling you when
17 exactly it was, so it might be that it was
18 later. I do not recall.

19 I have to look up my notes. Maybe I
20 find out the exact date.

Q. What notes would you look at?

22 A. Pardon?

23 Q. What notes would you look at to
24 determine the exact date that you stopped
25 development on release 3.0?

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1 Alexander Gaugler

2 A. Maybe I have a communication with
3 Peter Greissl.

9 MR. JENSEN: We will take it under
10 adviseement.

11 MR. ZABRISKIE: Okay. Let's break.

12 I have 1:40. What time do you want
13 to try to --

14 MR. JENSEN: Whatever you want.

17 (A luncheon recess was at 1:40 p.m.)

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1 Alexander Gaugler

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ACKNOWLEDGMENT

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9 I, ALEXANDER GAUGLER, hereby
10 certify that I have read the transcript
11 of my testimony taken under oath on the
12 24th day of January, 2008, that the
13 transcript is a true, complete and
14 correct record of what was asked,
15 answered, and said during the deposition,
16 and that the answers on the record as
17 given by me are true and correct.

18

19

20

~~ALEXANDER GAUGLER~~

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VERITEXT CORPORATE SERVICES (800) 567-8658

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1
2 ERRATA SHEET
3

4 CASE NAME: ATLANTIS INFORMATION vs CA, INC.
5 DEPOSITION DATE: January 24, 2008
6 NAME OF WITNESS: ALEXANDER GAUGLER

7 C H A N G E S
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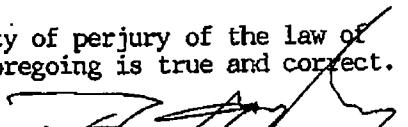
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21 ALEXANDER GAUGLER

22 Subscribed and sworn to before me
23 this ___ day of _____, 2008.

24 (Notary Public) ----- (commission expires)

25 I hereby declare under penalty of perjury of the law of
the United States that the foregoing is true and correct.


Alexander Gaugler

Dated: March 27, 2008